IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICATION

CIVIL APPLICATION NO. 798 OF 2004

IN

A.O. NO.1406 OF 1991

Bombay Chemical & Rubber Product .. Applicants

V/s

1.Hind Rubber Industries & Others .. Respondents

Mr. A.S.Khandeparkar for applicants

Mr. Mansukhalal Hiralal for respondent No.2

Mr. Anil Singh for respondents No.3 and 4

Mr.J.J.Xavier for respondent No.5

Coram : A.S. Oka, J.

Date : 8th February, 2005

P.C.

1. Mr.Khandeparkar, learned counsel appearing for the Applicant states that this application is filed pursuant to the liberty granted by this court by an order dated 8th October 1999 passed in Civil Application No.5/1999. He relied upon the letter dated 11th January 2000 issued by the Ward Officer, “D”Ward and stated that compliance is made with requirement prescribed in paragraph-12 of the order dated 8th October 1999.

2. Prayer in this Application is for handing over possession of a premises to the Applicant. In the Civil Application, Applicant has not given the description of the

premises in respect of which relief of possession is sought and therefore, it is not possible to accept submission that the letter dated 11th January 2000 relates to the premises in respect of which relief is sought in this Civil Application. Hence, this Civil Application cannot be entertained and same is rejected.

3. However, if applicant wants to claim relief of possession in respect of any specific premises, it is always open for applicant to file appropriate application in that behalf.

4. No order as to costs.

(A.S. Oka,J.)